

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY
Includes Reference to PCT International Applications

Attorney's Docket
5151-18PUS

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

AN APPARATUS AND METHOD FOR CONVERTING HEAT ENERGY TO MECHANICAL ENERGY

the specification of which (check only one item below)

☐ is attached hereto

☐ was filed as United States application

Serial No.

On

And was amended

On __ (if applicable).

☒ was filed as PCT International application

Number PCT/EP2004/053650

On 22 December 2004

And was amended under PCT Article 19

on _____ (if applicable).

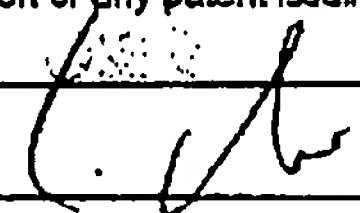
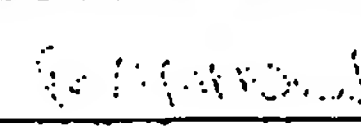
I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN/PCT APPLICATIONS AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

Country (if PCT, indicate "PCT")	Application Number	Date of Filing (day, month, year)	Priority Claimed Under 35 U.S.C. 119	
Germany	103 60 380.8	22 December 2003	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Germany	103 60 379.4	22 December 2003	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Germany	103 60 364.6	22 December 2003	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Germany	103 61 203.3	24 December 2003	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Germany	103 61 223.8	24 December 2003	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
PCT	PCT/EP2004/053650	22 December 2004	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

Combined Declaration for Patent Application and Power of Attorney (Continued) (Includes Reference to PCT International Applications)		Attorney's Docket. 5151-18PUS
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) at <i>Cohen, Pontani, Lieberman & Pavane</i> to prosecute this application and transact all business in the Patent and Trademark Office connected therewith Customer number 27799		
Send correspondence to: <i>Cohen, Pontani, Lieberman & Pavane LLP</i> at the address for the following customer Number: 27799		Direct Telephone calls to: (212) 687-2770
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.		
201	Primary Citizenship Country::	Germany
	Given Name::	Erwin
	Middle Name::	
	Family Name::	OSER
	City of Residence::	Koeln
	Country of Residence::	Germany
	Street of mailing address::	Hansaring 145-147
	City of mailing address::	Koeln
	Country of mailing address::	Germany
	Postal or Zip Code of mailing address::	50670
202	Primary Citizenship Country::	Germany
	Given Name::	Michael
	Middle Name::	
	Family Name::	RANNOU
	City of Residence::	Lennestadt
	Country of Residence::	Germany
	Street of mailing address::	Bilsteiner Weg 20
	City of mailing address::	Lennestadt
	Country of mailing address::	Germany
	Postal or Zip Code of mailing address::	57368
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.		
SIGNATURE OF INVENTOR 201 	SIGNATURE OF INVENTOR 202 	
DATE <input checked="" type="checkbox"/> 3/08/2006	DATE <input checked="" type="checkbox"/>	
Additional inventor(s) name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

Attorney Docket # 5151-18PUS

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of

Erwin OSER et al.

Serial No.: 10/583,936

Filed: June 22, 2006

For: An Apparatus and Method for Converting Heat
Energy to Mechanical Energy

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION IN SUPPORT OF PETITION UNDER 37 C.F.R. §1.47(a)

I, Erwin Oser, declare as follows:

1. This declaration is submitted in support of U.S. Patent Application Serial Number 10/583,936, which is a national phase filing based on International Application No. PCT/EP2004/053650, and, specifically to evidence refusal by co-inventor Michael Rannow (hereafter also referred to as "non-signing co-inventor") to sign the application papers.

2. I am a co-inventor of the above-referenced U.S. patent application.

3. On November 2, 2006, I placed the following items for the above-referenced U.S. patent application into an envelope to be sent by certified mail addressed to the non-signing co-inventor's current address (c/o Vacutec GmbH (bzw. Nero Energy GmbH), Max-Planck-Str. 11, 53577 Neustadt (Wied)-Fornthal, Germany) and with a letter written and signed by me requesting that the non-signing co-inventor sign the application papers and return them to me by November 16, 2006:

- A copy of the International Application Publication No. WO 2005/061857 A1, based on International Application No. PCT/EP2004/053650,

- An English translation of the International Application No. PCT/EP2004/053650,

- A copy of the preliminary amendment concurrently filed with the English translation as the above-referenced U.S. national phase application, and

- A combined Declaration and Power of Attorney and an Assignment for signature by Michael Ramnow,

4. Copies of my November 2, 2006 letter to the non-signing co-inventor and its English translation are attached hereto as Exhibit A.

5. I then had the certified mail envelope sent to the non-signing co-inventor.

6. The certified mail envelope reached and accepted by the non-signing co-inventor on November 3, 2006. Copies of a letter from the German Post Office providing a reproduction of the delivery evidence, which delivery evidence was signed by the intended recipient Michael Rannow, and an English translation of the letter from the German Post Office, are attached hereto as Exhibit B.

7. In an e-mail dated November 6, 2006 addressed to Hubert Hamm, which was also sent to me, the non-signing co-inventor expressed an unwillingness to cooperate in the matter of the above-referenced U.S. patent application. Copies of a printout of the e-mail and its English translation are attached hereto as Exhibit C.

8. So far I have not received executed application papers from the non-signing co-inventor and the above-referenced e-mail dated November 6, 2006 further indicates his permanent refusal to sign the documents.

9. In view of the above, a *bona fide* attempt was made to obtain the signature of the non-signing co-inventor. Furthermore, the conduct of the non-signing co-inventor clearly constitutes a refusal to sign the application papers. Accordingly, the petition to accept the application made by me, on behalf of myself and the non-signing co-inventor should be granted.

10. I declare that all statements made herein of my own knowledge are true; that all statements made herein on information and belief to be true; and further that

these statements were made with the knowledge that willful, false statements and the like are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this patent application and any patent resulting therefrom.

Date: 4th July 2007

By: Erwin Oser
Erwin Oser